



ఆంధ్రప్రదేశ్ రాజపత్రము

THE ANDHRA PRADESH GAZETTE

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AMARAVATI, WEDNESDAY, NOVEMBER 16, 2022

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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

CHIEF EXECUTIVE OFFICER, A. P. STATE WAQF BOARD,

4th FLOOR, IMDADGHAR, Opp: KALESWARAO MARKET, VIJAYAWADA.

F.No.06 / KNL / M / 2020.

Date: 28-09-2022.

KURNOOL DISTRICT - KALLUR MANDAL - MASJID KNOWN AS FORT MASJID SITUATED AT LAKSHMIPURAM VILLAGE - Sri SHAIK MOHAMMED HAMEEDULLAH alias S.HAMEEDULLAH QASMI, S/o. S.USMAN APPOINTED AS MUTAWALLI U/Sec.63 OF THE WAQF ACT, 1995 FOR A PERIOD OF TWO (2) YEARS.

Read : 1. Representation of Sri Shaik. Mohammed Hameedullah alias S.Hameedullah Qasmi, S/o. S.Usman.H.No. 4-115, Lakshmipuramu, Kallur (M) Kurnool District, dated:16-11-2020.

2. This Office Memo of dated: 20-11-2020.

3. Report of the I.A.Waqf, Kurnool District vide Lr.No.04/KNL/Compliant/ 2018, dated.26-02-2021.

4. Representation of Sri Shaik. Mohammed Hameedullah alias S.Hameedullah Qasmi, S/o. S.Usman, dated:17-04-2021 along with copy of NOC affidavit duly notarized with advocate notary, dated: 24-04-2021.

5. Report of the I.A.Waqf, Kurnool District, vide Lr. No.04/KNL/2018, dated.06-07-2021.

6. This office notification of dated.20-07-2021.

7. Report of the I.A.Waqfs, Kurnool District, vide Lr. No.04/KNL/2018, dated.07-09-2021 along with notification published in Andhra Jyothi, dated:04-08-2021
8. Board's Resolution No.358 of 2022, dated:24-08-2022.
9. Orders of the Hon'ble Chairperson, APSWB, dated.19-09-2022.

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ORDER:

The Waqf institution namely Mosque known as Fort Masjid situated at Lakshmipuramu Village, Kallur Mandal of Kurnool District is having attached property in Sy.No.1 to an extent of Ac.43.12 cents, Sy.No.69 to an extent of Ac. 33.15 cents, Sy.No.227 to an extent of Ac. 101.35, Sy.No.674 to an extent of Ac.10.46, Sy.No.676 to an extent of Ac.17.73 cents and Sy.No.738 to an extent of Ac.12.32 cents total Adm. Ac.218-13 cents are notified Waqf and got Published in A.P. Gazette No.43-A, Part-II, Dated 24-10-1963 at Serial No.3040 in page Nos.18 & 19 under the Towliath of 1.Mulla Minulla Saheb and 2. Mulla Masoom Saheb, who expired long back. The object of the Waqf is for the proper maintenance and rendering religious services in the Mosque and the Rule of succession to the office of the Mutawalli is hereditary by custom.

A representation has been received from Sri Shaik. Mohammed Hameedullah alias S.Hameedullah Qasmi, S/o.S.Usman, Lakshmipuramu (V), Kallur Mandal of Kurnool District vide ref.1st read the Mulla Minullah Sahib has no issue and his daughter's husband rendering the services of the subject Masjid and request to appoint him as Mutawalli in place of late Minullah Sahib who is one of the notified Mutawalli of the subject Mosque.

In the ref. 2nd read above, this office issued a Memo to Inspector Auditor Waqf Kurnool District for calling detailed report along with relevant document in the subject matter.

Accordingly, the I.A. Waqf, Kurnool District has submitted his reported vide ref. 3rd read above, that the applicant Sri Shaik. Mohammed Hameedullah alias S.Hameedullah Qasmi, S/o. S.Usman, is managing the entire affairs of the subject Mosque and the applicant is legal heir Mulla Minnalla Saheb, S/o. Mulla Sha Ali Miah who is one of the Mutawalli of subject Mosque, an extent of Ac. 218.13 cents land under the encroachment which was sold out since long back. The AP State Waqf Board has filed impleading petition on the file of the Hon'ble Addl. Senior Civil Judge, Kurnool in OS No.76/2007 in respect of Waqf in Sy No.738 of Lakshmipuramu and the said I.A No.369 of 2014 in OS No. 76 of 2007 was dismissed and the AP State Waqf Board have to file CRP against the orders in I.A No.369/2014 in OS No.76 f 2007 on the file

Hon'ble High Court of AP.Finally the I.A Waqf Kurnool District has requested to appoint Sri Shaik. Mohammed Hameedullah alias S.Hameedullah Qasmi, S/o. S.Usman, as Mutawalli to the subject institution for managing the affairs of subject Mosque.

In the reference 4th read above, the applicant has submitted a letter to this office along with NOC of Shaik Sha Vali, S/o. Usman Basha and Shaik. Mahaboob Basha, S/o. Usman Basha duly notarized with notary advocate dated.24-04-2021. .

In the reference 5th read above, the I.A Waqfs, Kurnool District has further reported that the applicant i.e Sri Shaik. Mohammed Hameedullah, S/o. Usman has made correspondence with Waqf Board with regard to appointment of Mutawalli to Mosque (Fort Masjid), situated at Lakshmipuramu (V), of Kurnool District in place his deceased great grandfather in the name of S.Hamedulla Qasmi and Shaik Mohammed Hameedulla Qasmi instead of Shaik Mohammed Hameedulla with regard affidavit same is submitted.

As a further course of action, a notification dated.20-07-2021 was issued for calling claims and objections, if any for appointment of Sri Shaik. Mohammed Hameedullah alias S.Hameedullah Qasmi, S/o. S.Usman, as Mutawalli U/sec. 63 of Waqf Act, 1995 to the subject the subject institution and its attached properties and directed the applicant to pay the publication charges vide reference 6th read above.

The I.A. Waqf, Kurnool District has submitted report dated.07-09-2021 vide ref.7th read above along with original paper stating that the afore said notification was published in Andhra Jyothi Telugu daily District edition of Kurnool on 04-08-2021 and no claims and objections were received against the said notification.

The subject matter was placed before the Board and the Board has passed resolution No.358 of 2022, dated.24-08-2022 vide ref.8th read above to appoint Sri Shaik. Mohammed Hameedullah alias S.Hameedullah Qasmi, S/o. S.Usman as Mutawalli U/sec.63 of Waqf Act, 1995 for a period of two (2) years to Masjid known as Fort Masjid with attached properties situated at Lakshmipuram Village, Kallur Mandal, Kurnool District.

Accordingly, Sri Shaik. Mohammed Hameedullah alias S.Hameedullah Qasmi, S/o. S.Usman is hereby appointed as Mutawalli to Masjid known as Fort Masjid with attached properties situated at Lakshmipuram Village, Kallur Mandal, Kurnool District U/sec.63 of Waqf Act,1995 for a period of two (2) years for managing the affairs of the subject Waqf Institution by following Waqf Act,1995 and Waqf Rules

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time they should submit the Accounts U/sec.46 of Waqf Act, 1995 and Budget U/sec.44 of Waqf Act, 1995 and pay Waqf fund duly following the provisions laid down U/sec.72 & 77 of Waqf Act, 1995 properly, failing which action will be taken against him U/Sec. 61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not be entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also note that Sec.3(ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously

The APSWB reserves its right to modify / cancel / alter / withhold the order at any time without assigning any reasons thereof.

L. ABDUL KHADIR,
Chief Executive Officer,
A.P. State Waqf Board, Vijayawada.

To

Sri Shaik. Mohammed Hameedullah alias S.Hameedullah Qasmi, S/o. S.Usman, Mutawalli of Masjid known as Fort Masjid, Lakshmiapuram Village, Kallur Mandal, Kurnool District.

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